

DEPOSITION of AAFAQUE AKHTER, M.D.

BSA XMAX(3/3)

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- (1) A In Brockton VA.
- (2) **Q What was the program, if any, that you entered at**
- (3) **the Brockton VA?**
- (4) A That was the Harvard South Shore Psychiatric
- (5) Residency Program funded by the VA Administration
- (6) and Brockton VA.
- (7) **Q Do you know the Plaintiff in this case, Rajenda**
- (8) **Badgaiyan?**
- (9) A Yes.
- (10) **Q How do you know him?**
- (11) A I joined my residency in July of 2000. And after
- (12) a couple of months, I knew him because he was a
- (13) year ahead of my class.
- (14) **Q How would you describe your relationship with Dr.**
- (15) **Badgaiyan?**
- (16) A I would -- can say he's my colleague and
- (17) acquaintance. And I met him in the Residency
- (18) Program, so I knew him probably until mid-2002.
- (19) We used to do, you know, didactics together or
- (20) meet in the campuses. And a couple of times after
- (21) our graduation, I think, one time or two times
- (22) with a bunch of residents, we went to his place.
- (23) **Q Do you know Grace Mushrush, M.D.?**
- (24) A Yes.

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- (1) **Q How did you come to know her?**
- (2) A She was our program director.
- (3) **Q And for what period of time was she the program**
- (4) **director while you were in the psychiatric**
- (5) **training program at Brockton VA?**
- (6) A The entire period. I started in July of 2000
- (7) until December of 2002.
- (8) **Q Did Dr. Grace Mushrush ever say to you or in your**
- (9) **presence anything about Indian doctors?**
- (10) A Yes.
- (11) **Q Would you first please set the stage.**
- (12) **What were the circumstances in which**
- (13) **Dr. Mushrush said something about Indian doctors?**
- (14) A It was already 2001. I was doing my in-patient
- (15) psychiatry rotation. And my supervisor at that
- (16) time was named Robert Alexander, Dr. Alexander.
- (17) He was the supervising physician in In-patient
- (18) Services. And I had a very hard time working with
- (19) him.
- (20) At one point during a clinical
- (21) discussion, he used very uncomfortable words that
- (22) even I think now I feel very uncomfortable, that
- (23) "You Indians are not even worth talking to. Leave
- (24) the office before I physically assault you." And

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- (1) I was in tears. I was literally crying.
- (2) **Q What did you do then?**
- (3) A Then I went to Dr. Mushrush.
- (4) **Q How soon after the meeting with Dr. Alexander did**
- (5) **you go to see Dr. Mushrush?**
- (6) A It was not easy to meet Dr. Mushrush. And then I
- (7) -- I think it was after a few months, because we
- (8) have a very busy schedule. We used to run around.
- (9) And moreover, what I thought that in my evaluation
- (10) done by Dr. Alexander, mailed to her and mailed to
- (11) me, and in that evaluation he had mentioned that
- (12) he was more severe than needed at one point. So,
- (13) I thought that probably Dr. Mushrush herself will
- (14) speak to me about it and speak to him about it.
- (15) I waited for a while before I spoke
- (16) to her. I exactly don't remember when I met Dr.
- (17) Mushrush. But I remember the meeting, and I
- (18) explained to her that what had happened.
- (19) And during the discussion, at one
- (20) point, she said that a lot of American doctors
- (21) don't like confident Indians. And it was very
- (22) shocking for me, so I tried to work around. And I
- (23) said, "Why do you think that a lot of American
- (24) doctors don't like confident Indians?" And she

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- (1) said -- and I thought that because, you know, Dr.
- (2) Alexander was not board-certified. His knowledge
- (3) of medicine, in my opinion, was not up to date.
- (4) So, we had a lot of clinical disagreements.
- (5) So, I said, "Do you think that the
- (6) people get intimidated by the knowledge of
- (7) people?" She said "No. They are very annoying.
- (8) They are very annoying. It's not that people get
- (9) intimidated. They are very annoying." And that
- (10) implied, in my opinion, that the Indians are very
- (11) annoying. They are very confident and annoying.
- (12) **Q To your knowledge, did Dr. Mushrush ever speak to**
- (13) **Dr. Alexander about what ----**
- (14) A She didn't tell me about it.
- (15) **Q Did Dr. Alexander ever tell you that Dr. Mushrush**
- (16) **had spoken to him following your meeting with Dr.**
- (17) **Mushrush?**
- (18) A No.
- (19) **Q Had you told Dr. Mushrush the exact language that**
- (20) **Dr. Alexander had used?**
- (21) A Yes. And she advised me that I should yell him
- (22) back. "If he yells at you, you yell him back. He
- (23) swears at you, you swear him back." I said, "That
- (24) is not the upbringing we had. In our culture, the